

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCOS VERA,

Plaintiff,

- *against* -

COLGATE DELI & GROCERY CORP., and
MOHAMED DOE,

Defendant.

ORDER

22-cv-02058 (ER)

RAMOS, D.J.:

On June 26, 2024, Marcos Vera filed a post-judgment motion to compel defendants Colgate Deli & Grocery Corp. and Mohamed Abisse to respond to Vera's information subpoenas, pursuant to Rule 37(a)(1). Doc. 25. The Court set a briefing schedule on the motion. Docs. 26, 27. On August 7, however, the attorneys who previously represented Colgate informed the Court that their firm has not been retained to represent Colgate in post-judgment enforcement matters. Doc. 29. On August 8, the Court vacated the briefing schedule, directed Colgate to retain counsel and have them enter an appearance by August 29, 2024, and directed Abisse to either retain counsel or appear *pro se* by that same date. Doc. 30. The Court warned that if Defendants failed to do so, the Court would treat Vera's motion to compel as unopposed. *Id.* Counsel for neither Colgate nor Abisse entered an appearance, nor did Abisse appear *pro se*.

On November 20, 2024, the Court issued an Order to Show Cause, directing Colgate and Abisse to show cause why they should not be held in contempt for failure to comply with the subpoenas for post-judgment discovery on December 11, 2024.

Doc. 33. On December 11, 2024, counsel for Vera appeared for the show cause hearing. Counsel for neither Colgate nor Abisse entered an appearance, nor did Abisse appear *pro se*. Vera was instructed to submit a proposed order of civil contempt, which he did on January 17, 2025, requesting contempt sanctions against Colgate and Abisse. Doc. 38.

The Court GRANTS Vera's unopposed motion to compel Colgate and Abisse to respond to Vera's information subpoenas. Colgate and Abisse are hereby ordered to respond to the information subpoenas by January 30, 2025. If Colgate and Abisse fail to do so, the Court will hold Colgate and Abisse in civil contempt.

Vera is ordered to serve a copy of this order on Colgate and Abisse by January 24, 2025, by both U.S. Postal Service first class mail, postage prepaid and return-receipt requested, and by Federal Express, postage prepaid, with evidence of proof of delivery, and to file proof of service on the docket.

The Clerk of Court is respectfully directed to terminate Vera's motion to compel, Doc. 24.

SO ORDERED.

Dated: January 22, 2025
New York, New York



Edgardo Ramos, U.S.D.J.